

IN THE U.S. PATENT AND TRADEMARK OFFICE

Application No.: 09/835,376

Filing Date: April 17, 2001

Applicant: David A. JABLOW

Group Art Unit: 2455

Examiner: Shawki S. Ismail

Title: METHODS AND SYSTEMS FOR PROVIDING
PERSONALIZED NOTIFICATION

Attorney Docket: 129250-000902/US

REPLY BRIEF

MAIL STOP APPEAL BRIEF - PATENTS

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ARGUMENT

In the Examiner's Answer the Examiner states that the Appellant "cannot show nonobviousness by attacking references individually". From the Examiner's Answer it now appears that the Examiner is relying on Aronin for every feature of the independent claims except for sending a notification using a user's preferred method of notification, a feature the Examiner indicates is disclosed in Ruckdashel.

In response the Appellant notes that one of ordinary skill in the art would not combine Aronin and Ruckdashel as the Examiner suggests because doing so would require one or both of the references to change their principle of operation.

For example, while Aronin appears to relate to events a user is participating in, Ruckdashel does not. In fact Ruckdashel is explicitly directed to a scheduler. Whether or not a user actually participates in a scheduled event is of no concern to Ruckdashel. None of Ruckdashel's notifications relate to an event a user has actually participated in.

Combining Aronin and Ruckdashel would require Ruckdashel to change its principle of operation from a scheduler to a "results-oriented" system. This would require Ruckdashel to change all of its screen displays (such as that shown in Figure 6) and the scheduling software that controls the generation of such displays. Such extraordinary changes are not within the skill of one of ordinary skill in the art. In fact, a brief search of issued patents in the field of software development illustrates that the knowledge required to control screen displays and generate scheduling software can be far above that known by those of ordinary skill in the art.

Accordingly, the Appellant respectfully requests that the members of the Board reverse the decision of the Examiner and allow claims 1-5, 8-24, 27-39 and 42-52.

APPELLANT'S REPLY BRIEF
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The Commissioner is authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-3777 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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